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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6089**
Jitsuko YAMAGUCHI et al. : Docket No. 2003_1915A
Serial No. 10/754,721 : Group Art Unit 2873
Filed January 12, 2004 : Examiner Hung Xuan Dang
RIMLESS EYEGLASSES AND PARTS : **Mail Stop: AMENDMENT**
THEREOF

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

REQUEST FOR NEW OFFICE ACTION WITH PROPER CITATION OF REFERENCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


In the Office Action mailed September 27, 2005 (see item 3 on page 2 of the Office Action), the Examiner presented a rejection of claims over two references, including Nishihara (U.S. 2003/0071962) and "Carlon (U.S.6,860,587)". These same two references were cited on the Form PTO-892. However, the U.S. Patent No. 6,860,587 does not have the inventor name of "Carlon", and also is directed to very different subject matter than the present invention and very different subject matter than referred to in the description of the prior art rejection. Accordingly, it is apparent that the Examiner has printed the wrong U.S. patent number for the "Carlon" reference both in the Statement of the Rejection and on the Form PTO-892.

As such, it is respectfully requested that the Examiner issue a new Office Action properly citing the Carlon reference.

It is also respectfully requested that, upon issuance of a new Office Action, the period for response to the Office Action be re-set.

Respectfully submitted,

Jitsuko YAMAGUCHI et al.

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